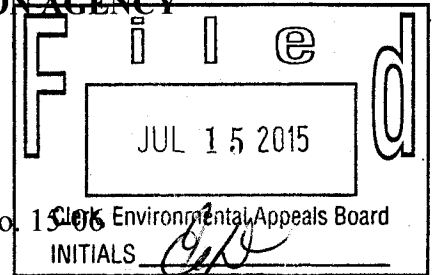


**ENVIRONMENTAL APPEALS BOARD
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C.**



In re:)	
)	
City of Nashua)	NPDES Appeal No. 15-06
)	
NPDES Permit No. NH0100170)	
)	

ORDER GRANTING STAY OF PROCEEDINGS

On April 13, 2015, the City of Nashua, New Hampshire (the "City") filed a petition seeking review of several conditions in a National Pollutant Discharge Elimination permit issued by U.S. EPA Region 1 (the "Region"). The permit authorizes discharges from the City's Wastewater Treatment Facility and nine Combined Sewer Overflows ("CSO") into the Merrimack and Nashua rivers. The City contests several permit conditions including the: phosphorus effluent limit; lead effluent limit; copper effluent limit; total residual chlorine limits; sample collection location requirements for compliance with the treatment plant effluent limits for BOD₅, TSS, and flow at internal outfall; monitoring requirements for BOD₅, TSS and flow at the Screening and Disinfection Facility; definition of dry weather; conditions prohibiting the discharge from causing a violation of water quality standards in the receiving waters; and annual reporting requirements related to the CSOs.

Since the filing of the Petition, the Region has withdrawn two portions of the permit; requested leave to withdraw a third portion of the permit; and in an effort to narrow the issues on appeal to the Environmental Appeals Board ("Board") stated its intent to initiate permit modification procedures to address the withdrawn permit terms. The parties requested that the

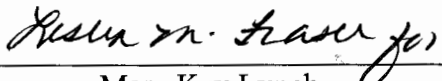
Board dismiss as moot the issues in the pending Petition related to the withdrawn portions of the permit. The Board will address the partial withdrawal of permit conditions and the request for partial dismissal of portions of the Petition in a separate order.

Most recently, on July 7, 2015, the parties filed a joint motion requesting that the Board stay the proceedings in this case because they are engaged in discussions to explore the possibility of a negotiated resolution of the issues raised in the Petition. Given the number of issues raised in the Petition and the need to coordinate schedules the parties requested a stay for thirty (30) days.

For good cause shown, the Board grants the parties request to stay this matter for 30 days. This matter is now stayed until August 14, 2015. The parties shall file a joint report no later than August 5, 2015, explaining the status of this matter, which shall include a discussion of recommended next steps for the efficient resolution of the pending Petition. The Board appreciates the efforts of the parties to narrow and resolve the issue in this appeal. Should the parties think they would benefit from the assistance of a neutral evaluator/mediator they may request participation in the Board's Alternative Dispute Resolution Program.

So ordered.

Date: *July 15, 2015*



Mary Kay Lynch
Judge, Environmental Appeals Board

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing Order Granting Stay of Proceedings in the matter of City of Nashua Wastewater Treatment Facility, NPDES Appeal No. 15-06, were sent to the following persons in the manner indicated:

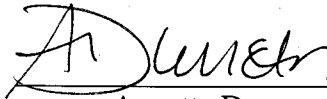
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Dated: JUL 15 2015



Annette Duncan
Secretary